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In re Reissue Application of
Oshima et al.
Reissue Application No. 10/635,468
Reissue Application Filed: August 7, 2003
Reissue of Patent No. 5,600,672
Attorney Docket No. 2003_1117

OFFICE OF PETITIONS

ON PETITION

This decision concerns the November 25, 2003 "Petition for Establishment of Filing Date and Acknowledgment of Receipt of Necessary Papers for Reissue Application" which is being properly treated as a petition under 37 CFR 1.53 that the above-referenced reissue application be accorded a filing date of August 7, 2003.

The petition is **GRANTED**.

The instant reissue application was deposited on August 7, 2003. On October 10, 2003, the Office of Initial Patent Examination (OIPE) mailed a Notice of Incomplete Reissue Application ("10/10/03 Notice"), stating that the application was not accorded a filing date because it was deposited without a specification, any claim, any drawing, consent of the assignee, or a statement under 37 CFR 3.73(b) establishing assignee ownership in the patent sought to be reissued.

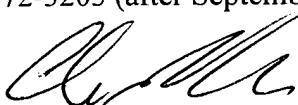
The petition then followed, disputing the 10/10/03 Notice. In support, the petition is accompanied by a copy of counsel's postcard receipt indicating receipt in the USPTO for this application on August 7, 2003 of, *inter alia*, 178 sheets of drawings, a 43-page specification including claims, and the other items requested in the 10/10/03 Notice.

In view of the above, the Office concludes that the reissue application, upon filing on August 7, 2003, included the items requested in the 10/10/03 Notice (in the form of a copy of Patent No. 5,600,672). The petition is thus granted. The 10/10/03 Notice is hereby vacated. The \$130 petition fee has been credited to Deposit Account No. 23-0975.

In addition, the duplicate copy of Patent No. 5,600,672 enclosed with the instant petition has again been misplaced. The Office acknowledges receipt on August 4, 2004 of a second duplicate copy of Patent No. 5,600,672.

The application file is being returned to OIPE for further processing with a filing date of August 7, 2003, using the duplicates of the above-noted items re-submitted on August 4, 2004; for indicating in the USPTO record that 178 sheets of drawings were present on filing; and for mailing a Filing Receipt reflecting the filing date and that 178 sheets of drawings were filed on August 7, 2003.

Telephone inquiries should be directed to Petitions Attorney RC Tang at (703) 308-0763 (before September 15, 2004), or to the undersigned at (703) 306-5683 (before September 27, 2004) or (571) 272-3203 (after September 27, 2004).

A handwritten signature in black ink, appearing to read 'C. Brantley', with a stylized flourish at the end.

Charles Steven Brantley
Senior Petitions Attorney
Office of Petitions